

GLOBAL ANALYSIS OF LAWS RELATED TO CYBER SQUATTING – OPENING A NEW FRONT IN WAR AGAINST INFRINGEMENT DONE ON INTERNET

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ABSTRACT

The practice that has come to be known as cyber-squatting originated at a time when most businesses were not savvy about the commercial opportunities on the Internet. Some 'entrepreneurial souls' registered the names of well-known companies as domain names, with the intent of selling the names back to the companies when they finally woke up. Panasonic, Fry's Electronics, Hertz and Avon were among the "victims" of cyber-squatters. In the new economy it is commercially prudent for a company to have an easily traceable address in the cyber-space which, incidentally, has become an inseparable part of the actual human existence.

These practices include the deliberate bad faith registration as domain of well-known trademarks in the hope of being able to sell the domain to the owners of those marks or rival owners or simply to take unfair advantage of the reputation attached to those marks. In technical parlance, this is called cyber squatting. It is increasingly clear that due to the global nature of Internet any policy in order to be effective must also be uniformly accepted and enforced worldwide. In the wake of 21st century all countries must join hands to curb this international problem or else - face the risk of this menacing problem emerging time and again. This problem takes on even more importance given the fact that business in the modern world is dependent on the virtual world in more ways than one and this kind of threat if left unattended or given its due importance may very well spell the doom of the business.

This article is a humble effort to place a clear picture regarding this scenario by taking into account the national and international efforts and attempts to curb this and at the same time also to make some recommendations that the author feels would make the present system more effective and result achieving and result oriented.

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